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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/703,479	10/31/2000	Magnus Tillgren	P13637US1	2185

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EXAMINER

NGUYEN, JENNIFER T

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 11/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/703,479

Applicant(s)

TILLGREN ET AL.

Examiner

Jennifer T. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2000.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office action is responsive to amendment filed on 9/19/2005.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dymetman et al. (Patent No. US 6,330,976) in view of Matsui (Patent No. US 5,897,669).

Regarding claims 1 and 23, referring to Figs. 1, 4, 8, and 9, Dymetman teaches an electronic reading system (Fig. 1), comprising:

a formatted surface (i.e., document 2) (Fig. 1) having an area (i.e., active region) that includes a specific part of an address pattern (i.e., marking medium), wherein a unique position (i.e., encode location or zone) on the address pattern can be identified from an examination of a portion of the address pattern (col. 8, line 45 to col. 9, line 5), and the address pattern includes at least a first portion (i.e., first cell) and a second portion (i.e., second cell), the first portion being assigned to a first application, and the second portion being assigned to a second application (col. 13, lines 20-23, lines 29-32, col. 14, lines 5-45);

an electronic reading device (i.e., pointer 502) (Fig. 1) including a sensor (802) (Fig. 8) for detecting at least a portion of the specific part of the address pattern (col. 10, lines 52-67);
and

a server (4) associated with the specific part of the address pattern for receiving a message from the electronic reading device (502), said message sent in response to said detection, and for performing a function in response to said message (col. 8, line 45 to col. 9, line 5,); wherein the server identifies one of the first application and the second application associated with the unique position (col. 14, lines 5-45); and

wherein the electronic reading device (502) further includes a memory (806) (Fig. 8), the grid description associating an action to be performed by the electronic reading device with the specific part of the address pattern (col. 15, lines 29-44, col. 23, line 46 to col. 24, line 12).

Dymetman differs from claims 1 and 23 in that he does not specifically teach the memory adapted to store a grid description. However, referring to Fig. 1B, Matsui teaches a memory (36) adapted to store a grid description (Figs. 12 and 14) (col. 10, lines 46-57). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the memory adapted to store a grid description as taught by Matsui in the system of Dymetman in order to store the address information accurately and improve the interaction of the electronic reading device with the address pattern.

Regarding claim 2, Dymetman further teaches the address pattern comprises a pattern of dots (i.e., cells or zones) (col. 11, lines 1-27 and col. 13, lines 1-32).

Regarding claims 3-6, Dymetman further teaches the area of the formatted surface further includes printed hyperlink identification information (col. 24, lines 1-64).

Regarding claim 7, Dymetman further teaches the function comprises sending information associated with the specific part of the address pattern to an email address associated with a user of the electronic reading device (col. 35, lines 1-19).

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Regarding claim 8, Dymetman further teaches the electronic reading device further includes a radio transmitter for sending data relating to the detected specific part of the address pattern to the server (Fig. 8) (col. 15, line 29 to col. 16, line 10).

Regarding claims 9-11, Dymetman further teaches a mobile station for receiving said data and for sending said message to the server (col. 24, lines 1-64).

Regarding claim 12, Dymetman further teaches the electronic reading device sends data relating to the detected specific part of the address pattern to the server using one of an infrared data transmission, inductive coupling, and a cable connection (col. 6, lines 55-65 and from col. 15, line 29 to col. 16, line 10).

Regarding claims 13-22 and 24-33, Dymetman further teaches the specific part of the address pattern relates to a product, printed publication, a business card, a transportation timetable, an identification of the object, an authentication of the object, office message state, geographical location, an indication that the specific part of the address pattern has been detected by the electronic reading device (from col. 31, line 41 to col. 32, line 34 and from col. 33, line 59 to col. 35, line 19).

Regarding to claims 34 and 35, Dymetman teaches a client (4) adapted to receive a grid description request from the electronic reading device (502), and provide the grid description to the electronic reading device in response to the grid description request (col. 9, lines 6-55 and col. 18, line 8 to col. 19, line 14).

Regarding claims 36 and 37, Dymetman teaches the grid description (i.e., location code) is received from an electronic client (4) separate from the formatted surface (col. 9, line 46 to col. 10, line 8).

Response to Arguments

4. Applicants' arguments filed 9/19/2005, have been fully considered but they are not persuasive because as follows:

In response to Applicants' argument filed "neither Dymetman nor Matsui, alone or in combination, disclose, teach, or suggest that (a) a unique position on the address pattern can be identified from an examination of a portion of the address pattern, and the address pattern includes at least a first portion and a second portion, the first portion being assigned to a first application, and the second portion being assigned to a second application or (b) the server identifies one of the first application and the second application associated with the unique position". Examiner respectfully disagrees because Dymetman teaches a formatted surface (i.e., document 2) (Fig. 1) having an area (i.e., active region) that includes a specific part of an address pattern (i.e., marking medium), wherein a unique position (i.e., encode location or zone) on the address pattern can be identified from an examination of a portion of the address pattern (col. 8, line 45 to col. 9, line 5), and the address pattern includes at least a first portion (i.e., first cell) and a second portion (i.e., second cell), the first portion being assigned to a first application, and the second portion being assigned to a second application (col. 13, lines 20-23, lines 29-32, col. 14, lines 5-45). Applicants' argument stated "neither Dymetman nor Matsui disclose that a grid description is received from an electronic client separate from a formatted surface". However, Dymetman teaches data from document (2) is capture by pointer (502) be executed to decode and perform the action it identifies and read from the peripheral device or client (col. 8, line 45 to col. 9, line 5, col. 9, line 46 to col. 10, line 8).

Therefore, it is believed that the claimed limitations are still read on by Dymetman and Matsui and the rejection is maintained.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jennifer T Nguyen whose telephone number is 572-272-7696. The examiner can normally be reached on Mon-Fri: 9:00am-5:30pm.

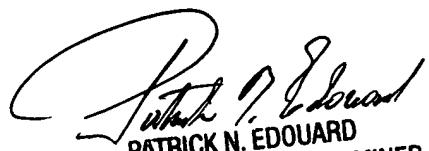
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick N. Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JNguyen
10/27/2005



PATRICK N. EDOUARD
SUPERVISORY PATENT EXAMINER